

**KCOM Group PLC**  
Kingston House  
Salvesen Way  
Hull  
Hus 4XQ

Telephone: 01482 603683  
Fax: 01482 603680

[www.kcom.com](http://www.kcom.com)

Chinyelu Onwurah  
Floor 2  
Dept: Strategy and Market Developments  
Riverside House  
2A Southwark Bridge Road  
London SE 9HA

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## **KCOM Response to Ofcom Next Generation New Build Condoc**

KCOM thanks Ofcom for the opportunity to provide a response to the Next Generation New Build Condoc.

***Question 1: What can Ofcom do to encourage timely standards development for new build NGA wholesale access products and interfaces? Which industry body is best placed to undertake the standardisation of these products and interfaces? What action should Ofcom take if these standards fail to materialise?***

The investment requirements for fibre NGA are such that deployment will begin in small developments. In terms of the required investment, even the Ebbsfleet development is not of a critical size that enables credible development of a CP's systems and processes to provide service there. This is new ground as not only the 2 USO operators will deploy NGA technology but fibre loop ownership will be taken by non traditional CPs. There is poor value to UKPLC in parallel builds and it is invidious that, where a developer is to invest in an NGA build for the express purpose of use by multiple CPs or even with an attempt to provide unique supply, that the 2 USO incumbents would be required to carry out an overbuild.

Clearly standards are key to meeting both regulatory and competition requirements. Kingston notes that the development of apparently appropriate standards for NGA has been taking place in the DSL Forum. The CP product set is the area of NGNUK with NICC to define the product architecture and standards required for services, particularly where there is a degree of regulatory market activity are the domain of NICC. NICC is biased toward the Network-Network interface set but does address access in the DSL-WG. The logical way forward would be for NICC to develop the DSL-WG into a loop access WG and provide a reference product that draws on the available international standards. The status of such a product, and particularly if sponsored by Ofcom, would be a set of recommendations that would be in place as a regulatory or recommended access product. Should Ofcom consider that appropriate standards will not be available in due time, then it will be because there are barriers to their generation and any action to address the situation will have to consider the actual issues. KCOM sees a period of transition where the ideal standards may not be in place (but that they would be visible in the pipeline) and the publication of End User interfaces coupled with CP Wholesale Service Interfaces and Descriptions, fully describing the technical aspects of the services will be appropriate.



INDEPENDENT MEDIA



ISO 9001  
FS 502189



ISO 14001  
EMS 507164



ISO 27001  
IS 506165

**Question 2: Do you agree with Ofcom's approach to promoting competition and consumer choice in new build fibre access deployments?**

We are in broad agreement with the line that Ofcom is taking.

**Question 3: Do you**

**(a) believe that the existing obligations must be met by replicating the existing copper products, or that an alternative approach could be satisfactory? What are the implications of replicating existing products on fibre?**

KCOM is considering developing new build areas of the Hull (SMP) network in a fibre only methodology. KCOM intend that CP's taking the wholesale telephony regulated access products will have the same access to the subscribers on the NGA loops as to the subscribers delivered over copper.

**(b): agree that SMP holders rolling out fibre do not need to roll out a copper network in parallel solely to meet their LLU obligation?**

KCOM agrees that this is inappropriate. Clearly this is linked to the following question and the availability of wholesale products over the NGA.

**(c): agree with Ofcom's approach in relation to WBA and new build areas?**

KCOM agree that the correct approach is that a suitable WBA service is available in new build areas as a minimum.

**(d): believe that the WLR obligation must be met by replicating the existing copper product, or that an alternative approach based on an ALA type product would be satisfactory?**

Kcom notes the proposal by Ofcom. The issue is the availability of identical services to the current PSTN set via the NGA ALA solutions. The subject should be reviewed as significant numbers of NGA builds are identifiable. Obligation at this stage to an identical feature package may be a disincentive to deploy FTTx architecture in small developments that would otherwise benefit from a true fibre NGA. It should be up to the USO CP to detail the product and variations by area, and clearly set out areas where legacy services are available and where the NGA variants are the only supply offer to meet the general conditions and basic WLR service requirements under SMP.

**(e): believe that the CPS obligation must be met by replicating the existing copper product or that an alternative approach based on an ALA type product would be satisfactory?**

Please see our answer to 3C.

**(f): believe that the IA obligation must be met by replicating the existing copper product or that an alternative approach based on an ALA type product would be satisfactory?**

Please see our answer to 3C.

**(g): agree with our proposal to interpret GC 3.1 (c) as being met through the provision and use of a battery backup facility to maintain uninterrupted access to emergency services in new build developments?**



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KCOM believes that since there are increasing numbers of residential properties using only DECT or mobile and that have no traditional phone connected to the existing line as it is used purely for broadband, then it is time for the subscriber (or other agency builder/power company?) to take some responsibility for the mains fail operation and it be a selectable and chargeable optional element of the service. There is a significant issue with the potential number of powered service supply devices that may be required in a residential premise and this limits the effectiveness of a secondary CP's broadband service device supplying POTS service if the last network element provided by the primary CP is not mains fail protected as there is no primary CP voice service contract with the End User.

The summary of the KCOM position is that under USO, KCOM and BT should be required to provide a POTS service via ALA. The requirement for a mains fail operation should be separated away and be a priced feature available on request.

***Question 4: Do you think access to the duct network, including non telecoms duct, is a potentially feasible means of promoting competition in new build? If so what types of commercial and operational models could successfully support such access arrangements in the UK?***

This is a superficially attractive approach but, as the investment in the duct is significant, requires both care in establishing the operational implementation and in the financial settlements for the service. There are implications to network security and assurance in the operation of shared duct that will not apply equally across CPs, even where there are individually allocated sub ducts. KCOM can offer only limited support to this approach and believe that there are significant practical hurdles to be overcome.

As with the unbundling of copper, KCOM believe that there is better potential in the development of unbundling of access fibre. New commercial investment conditions apply to the use of fibre in this way rather than the copper LLU, where the 2 KCOM and BT had significant pre-investment. Early regulation in this area may have the undesirable effect of slowing investment and Ofcom should defer a review until at least 2010.

**M.D.Crowther**  
**Technology Strategy Manager**

